

1 of 22

JK

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

RECEIVED

MAY 16 2016 *B*

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

MARIO S. ENGLISH JR.

(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

vs.

1:16-cv-5295

Judge John Robert Blakey  
Magistrate Judge Jeffrey T. Gilbert  
PC4

MARCELLES P. GARDNER

HERMAN ESKRIDGE

JASON M. BERRY

John DOES

(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")

CHECK ONE ONLY:

☒ COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983  
U.S. Code (state, county, or municipal defendants)

☐ COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE  
28 SECTION 1331 U.S. Code (federal defendants)

☐ OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

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**I. Plaintiff(s):**

- A. Name: ~~ROBERT L. BERNARD~~ MARTIN S. ENGLISH JR
- B. List all aliases: NONE
- C. Prisoner identification number: B-57430
- D. Place of present confinement: MENARD CORRECTIONAL CENTER
- E. Address: P.O. Box 1000 MENARD, IL 62259

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

**II. Defendant(s):**

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: MARCELLES P. GARDNER #12457  
 Title: CORRECTIONAL OFFICER  
 Place of Employment: STATEVILLE CORRECTIONAL CENTER
- B. Defendant: JASON M. BERRY #2528  
 Title: LIEUTENANT, CORRECTIONAL OFFICER  
 Place of Employment: STATEVILLE CORRECTIONAL CENTER
- C. Defendant: ~~ROBERT L. BERNARD~~  
 Title: ~~CORRECTIONAL OFFICER~~  
 Place of Employment: ~~STATEVILLE CORRECTIONAL CENTER~~

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)



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C ①. DEFENDANT: HERMAN ESKRIDGE # 4984

title: CORRECTIONAL OFFICER.

Place of Employment: stateville correctional center

②. ~~DEFENDANT~~ @ ~~last name~~ ~~XXXXXXXXXX~~

~~title: correctional officer~~

~~Place of Employment: stateville correctional center~~

D ② DEFENDANTS: tactical team, John does

title: CORRECTIONAL OFFICERS

Place of Employment: stateville correctional center



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III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: 1983 civil claim 13-1199
- B. Approximate date of filing lawsuit: 5-8-2013
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: MARTIN S. English JR.
- D. List all defendants: MARK MCNABB, RANDY PEISTER,  
JOEL STARKEY, SHERRY BENTON and JOHNNY WATSON
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): CENTRAL DISTRICT PEORIA DIVISION
- F. Name of judge to whom case was assigned: CHIEF JUDGE  
JAMES E. SHARIN
- G. Basic claim made: Failure to protect, condition of confinement  
deliberate indifference to serious medical needs, and  
retaliation claim
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): lost summary judgment and dismissed.  
I appealed 8-17-2015
- I. Approximate date of disposition: 7-20-2015

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

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III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: 1983 civil claim 1:15 CV03950
- B. Approximate date of filing lawsuit: 12-11-2015
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: MARIE S. ENGLISH JR
- D. List all defendants: TERRY WILLIAMS, LANE PALMER, DEREK J. JABUREK, SAMUEL L. JOHNSON and Shelby Johnson
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): NORTHERN DISTRICT, IL, EASTERN DIVISION
- F. Name of judge to whom case was assigned: JUDGE JOHN ROBERT BLAKEY
- G. Basic claim made: EXCESSIVE FORCE, UNCONSTITUTIONAL STRIP SEARCH, DELIBERATE INDIFFERENCE to my SERIOUS MEDICAL NEEDS, DELIBERATE INDIFFERENCE to a SUBSTANTIAL RISK of SERIOUS HARM, FIRST, FIFTH, EIGHTH and FOURTEENTH AMENDMENTS VIOLATIONS.
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): still pending!
- I. Approximate date of disposition: nothing is final

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER. USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY. AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.



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III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: 1983 civil claim  
Class action 16-395-sm4
- B. Approximate date of filing lawsuit: 4-11-2016
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: MATE S. ENGLISH JR 57430 B-0003  
David Gehret K-96362, Donald Hardy M-09659, Blackman K-50232  
McCoy K-02776 and Suzanne Johnson R-72747
- D. List all defendants: KIMBERLY BUTLER and Monica Nippe
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Southern District of Illinois
- F. Name of judge to whom case was assigned: JUDGE Staci M. Yandle
- G. Basic claim made: DENIED access to the courts. TO redress violations of  
THEIR LIBERTY INTERESTS under the due process clause of the 14TH and  
FOURTEENTH AMENDMENTS and FIRST and FOURTEENTH AMENDMENT TO SEEK  
REPRESS IN a court of LAW. Defendants wouldnt answer grievances.
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed?  
Is it still pending?): still pending
- I. Approximate date of disposition: nothing is final

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.



PRELIMINARY STATEMENT

THIS IS A CIVIL RIGHTS ACTION; BEING brought by MARIO S. English JR. A PRISONER CURRENTLY INCARCERATED AT MENARD CORRECTIONAL CENTER. THE PLAINTIFF IS SEEKING COMPENSATORY, PUNITIVE MONETARY DAMAGES FOR BEING TORTURED WHILE IN ~~ANY~~ 4 POINT RESTRAINTS ORDERED BY MENTAL HEALTH STAFF; PLAINTIFF HEREBY COMPLAINS AGAINST DEFENDANTS, MARCELLES P. GARDNER, HERMAN ESKRIDGE, JASON M. BERRY AND ANY JOHN DOES NAMES FOUND OUT LATER IN THE PROCESS, DEFENDANTS ARE IN VIOLATION OF THE EIGHTH AMENDMENT, THE RIGHT TO BE FREE FROM CRUEL AND UNUSUAL PUNISHMENT, DELIBERATE INDIFFERENCE TO MY SERIOUS MEDICAL NEEDS, DELIBERATE INDIFFERENCE TO MY SERIOUS MENTAL HEALTH NEEDS. PLAINTIFF SEEKS A JUDGEMENT DECLARING THE DEFENDANTS CONDUCT UNCONSTITUTIONAL AND VIOLATIVE AND AN INJUNCTION AGAINST DEFENDANTS UNLAWFUL CONDUCT AS SET FORTH BELOW ON PAGES 19-20.

EACH DEFENDANT IS BEING SUED IN THERE INDIVIDUAL CAPACITY AND OFFICIAL CAPACITY. ALL DEFENDANTS HAVE ACTED UNDER COLOR OF STATE LAW AT ALL TIMES RELEVANT TO THIS COMPLAINT. PLAINTIFF INTENDS TO FILE A PRELIMINARY INJUNCTION ON A LATER DATE.



## IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

A. on 2-26-2015 time unknown plaintiff was placed in 4pt. "Point", restraints at the health care, cell 132. plaintiff was in restraints over 16<sup>th</sup> hours. you suppose to be allowed to stretch every 2 hours. I wasn't allowed to stretch for over 4 hours. Lieutenant Davis was the Lt. on first shift. Lieutenant Jason BERRY was the Lt. on 2<sup>nd</sup> shift. Lt. BERRY said, it was 5:15 p.m. and every 2 hours after that plaintiff was allowed to stretch. plaintiff urined on himself because staff took so long to let me out of restraints. This is a pattern staff is using to stop prisoners from going on suicide watch. plaintiff was tied down without a mattress. Pontiac Correctional Center always ties you down with a mattress under you. plaintiff was not tied down properly. there is a drawing on the back of plaintiff's grievance. prisoners are suppose to be tied level with the bed. plaintiff was tied with hands on the top bar and his feet on the top bar. my feet fell asleep. my circulation was cut off. I was in pain for over 3 hours. I was yelling for medical help for hours but nobody would help me until I was let out to stretch at 5:15 p.m. the restraints were so tight. you could see the indent's in my skin



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~~Statement of Plaintiff~~

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

From the restraints, the restraints were tied around my ankles to the 2<sup>nd</sup> wheel on the restraints. you couldn't even put a finger in between the restraints and my ankle. THE NURSE didn't even check my restraints. nurse jerald was working this day.

B. on 2-26-2015, at the health care unit, 2<sup>nd</sup> shift officer GARDNER came in on 2<sup>nd</sup> shift and left plaintiff in pain until 5:15 p.m. plaintiff was yelling in pain for help. plaintiff told officer GARDNER his legs were in pain and I need to see a nurse, mental health staff or a lieutenant. no nurse or mental health staff member showed up. Gardner said, lieutenant I told lieutenant Berry you were in pain. But I can't make him come over to health care.

C. on 2-26-2015, at the health care unit, 2<sup>nd</sup> shift, Lieutenant Jason Berry came to health care so plaintiff could stretch his arms and legs. Lt. Berry knew plaintiff was in pain but he didn't believe plaintiff so Lt. Berry grabbed my left foot and moved it around, which made me yell in pain. nurse Lydia saw it. witness Blackman K-50232 heard plaintiff yelling in pain and asking for help for several hours. there was a camera used when plaintiff was put in restraints.

X



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D. on 2-26-2015, at the health care unit, 1<sup>st</sup> shift plaintiff was yelling in pain for help. plaintiff told c/o HERMAN ESKRIDGE his legs were in pain and I need to see a nurse or mental health staff member. he wouldn't help me.

E. on 2-26-2015, at the health care unit, 1<sup>st</sup> shift "John DOES, AKA tactical team tied plaintiff's hands and feet to the top bars of the bed and left the cell. camera used!



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V. EXHAUSTION OF LEGAL REMEDIES

g. plaintiff exhausted all available administrative remedies for his claims.

B. attached to this complaint is the GRIEVANCE that was sent to the counselor and grievance officer  
SEE exhibit (A) pg. 12

C. plaintiff sent the GRIEVANCE officer's decision to the Administrative Review Board in Springfield.

D. Leslie McCarty from the ~~Administrative~~  
Administrative Review Board, responded to the appeal.  
SEE exhibit (B) pg. 13



VI. CLAIMS UPON WHICH RELIEF MAY BE GRANTED.

A. that the deliberate actions of MARCELLES P. GARDNER are in violation of the EIGHTH AMENDMENT, THE RIGHT to be FREE FROM CRUEL and UNUSUAL punishment.

Conditions of confinement.

MARCELLES P. GARDNER was deliberate indifference to my serious medical needs. plaintiff was yelling in pain for help. plaintiff told GARDNER that his legs were in pain.

plaintiff doesn't know IF GARDNER told a nurse ~~or another health~~ that plaintiff's legs were in pain.

MARCELLES P. GARDNER was deliberate indifference to my serious mental health needs.

plaintiff told GARDNER that his legs were in pain.

plaintiff doesn't know IF GARDNER told mental health that plaintiff's legs were in pain.

plaintiff had a right to be tied level to the bed. this was a mental health issue.

GARDNER wouldn't untie my feet from the top bar of the bed.

GARDNER is reckless and will continue to do so.



B. 1. that the deliberate actions of C/O HERMAN ESKRIDGE  
ARE IN VIOLATION OF THE EIGHTH AMENDMENT, THE RIGHT TO BE  
FREE FROM CRUEL AND UNUSUAL PUNISHMENT,  
CONDITIONS-OF-CONFINEMENT.

C/O HERMAN ESKRIDGE WAS DELIBERATE <sup>INDIFFERENCE</sup> ~~INDIFFERENCE~~ TO MY  
SERIOUS MEDICAL NEEDS. HE WOULDN'T INFORM A NURSE THAT PLAINTIFFS  
LEGS WERE IN PAIN AND HE NEEDS TO SEE A NURSE.

C/O HERMAN ESKRIDGE WAS DELIBERATE INDIFFERENCE TO MY  
SERIOUS MENTAL HEALTH NEEDS. HE DIDN'T TELL MENTAL HEALTH STAFF  
THAT PLAINTIFFS' LEGS WERE IN PAIN AND HE NEEDS TO SEE MENTAL  
HEALTH. PLAINTIFF HAD A RIGHT TO BE TIED LEVEL TO THE BED.  
THIS WAS A MENTAL HEALTH ISSUE.

HE WOULDN'T ASK ANYBODY TO UNTIE MY FEET FROM THE  
TOP BAR OF THE BED.

C/O ESKRIDGE IS RECKLESS AND WILL CONTINUE TO DO SO.



18 16

C. B. that the deliberate actions of Jason M. BERRY are in violation of the EIGHTH AMENDMENT, the right to be FREE FROM CRUEL AND UNUSUAL punishment, conditions-of-confinement.

Jason BERRY was deliberate indifferent to my serious medical needs. he wouldn't come to health care and let plaintiff out of leg restraints and he knew plaintiff was yelling in pain for help and BERRY grabbed plaintiff's left foot and moved it around because BERRY didn't believe plaintiff was in pain. plaintiff yelled in pain when BERRY was moving plaintiff's foot.

Jason BERRY was deliberate indifferent to my serious mental health needs plaintiff had a right to be tied level to the bed. this was a mental health issue. he wouldn't come to health care to untie my feet from the top bar of the bed.

~~repeated~~ Jason is RECKLESS and will continue to do.



0. that the deliberate actions of C/Os John DOES, ARE in violation of the EIGHTH AMENDMENT, the right to be FREE FROM CRUEL and unusual punishment.

Condition - of - confinement.

John DOES were, "deliberate indifference" to my mental health needs. plaintiff had a right to be tied level to the bed. this was a mental health issue.

John DOES ~~were~~ AKA tactical team, are reckless and will continue to do so.



and the class members respectfully pray that this  
wherefore, plaintiffs ~~respectfully pray that this~~  
court enter judgment granting plaintiffs,

### VII. RELIEF REQUESTED

A. Damages, award plaintiff monetary damages in the amount of \$10,000 against each defendant for their malicious and willful misconduct.

B. award plaintiff monetary damages in the amount of \$10,000 against each defendant for his pain and suffering emotional stress and mental anguish. caused by the defendants' malicious and willful misconduct.

C Exemplary [monetary and punitive] damages against each defendant in the amount of \$10,000 for their malicious and willful misconduct; while acting under color of law and there upon engaging in actions against the plaintiff in a manner that violated the EIGHTH amendment of the UNITED STATES constitution.



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D. Declare that Defendants' actions and inactions are unlawful and unconstitutional for the reasons specified above;

E. Enter a preliminary and permanent injunction directing Defendants to provide:

1. cameras placed on prisoners who are placed in restraints through mental health.

2. permanently preventing plaintiff from ever being sent back to stateville correctional center.

F. Release the plaintiff from punitive segregation and restore all rights and privileges.

G. plaintiff's cost in this suit



~~2002~~ 20

H. IF counsel is appointed, award reasonable  
attorneys fees pursuant to 28 U.S.C § 1988 and  
42 U.S.C § 12205

I award any such further relief as the court  
may deem just, proper and equitable.



200 21

the plaintiff demands that the case be tried by a jury ☒ YES ☐ NO

Respectfully submitted,

Mario S. English Jr.

CERTIFICATION

By signing this complaint, I certify that the fact stated in this complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the court

signed this 2<sup>nd</sup> day of May 2016

Mario S. English Jr.

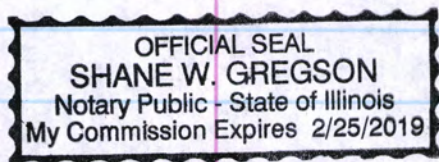
MARIO S. ENGLISH JR.

MENARD CC

P.O. Box 1000

MENARD, IL 62259

(618)-826-5071



subscribed and sworn to before me this 2<sup>nd</sup> day of May, 2016. Shane W. Gregson  
notary public



**Date:** 3-9-2015 **Offender:** (Please Print) Mario S. English **ID#:** B-57430  
**Present Facility:** Stateville CC **Facility where grievance issue occurred:** Stateville CC

**NATURE OF GRIEVANCE:**

<input type="checkbox"/> Personal Property	<input type="checkbox"/> Mail Handling	<input type="checkbox"/> Restoration of Good Time	<input type="checkbox"/> ADA Disability Accommodation
<input checked="" type="checkbox"/> Staff Conduct	<input type="checkbox"/> Dietary	<input checked="" type="checkbox"/> Medical Treatment	<input type="checkbox"/> HIPAA
<input type="checkbox"/> Transfer Denial by Facility	<input type="checkbox"/> Transfer Denial by Transfer Coordinator	<input type="checkbox"/> Other (specify):	
<input type="checkbox"/> Disciplinary Report: _____ Date of Report: _____ Facility where issued: _____			

**Note:** Protective Custody Denials may be grieved immediately via the local administration on the protective custody status notification.

**Complete:** Attach a copy of any pertinent document (such as a Disciplinary Report, Shakedown Record, etc.) and send to:  
Counselor, unless the issue involves discipline, is deemed an emergency, or is subject to direct review by the Administrative Review Board.  
Grievance Officer, only if the issue involves discipline at the present facility or issue not resolved by Counselor.  
Chief Administrative Officer, only if EMERGENCY grievance.  
Administrative Review Board, only if the issue involves transfer denial by the Transfer Coordinator, protective custody, involuntary administration of psychotropic drugs, issues from another facility except personal property issues, or issues not resolved by the Chief Administrative Officer.

**Summary of Grievance** (Provide information including a description of what happened, when and where it happened, and the name or identifying information for each person involved):

ON FEB-26-2015 TIME UNKNOWN I WAS PLACED IN RESTRAINTS AT THE HEALTH CARE, CELL 132. I WAS IN RESTRAINTS OVER 16<sup>th</sup> HOURS. YOUR SUPPOSE TO BE ALLOWED TO STRETCH EVERY 2 HOURS. I WASNT ALLOWED TO STRETCH FOR OVER 4 HOURS. LT. DAVIS WAS THE LT. ON FIRST SHIFT. LT. BARRY WAS THE LT. ON 2<sup>nd</sup> SHIFT. LT. BARRY SAID IT WAS 5:15 PM AND EVERY 2 HOURS AFTER THAT I WAS ALLOWED TO STRETCH. I LIT UP ON MYSELF BECAUSE STAFF TOLD ME TO LET ME OUT OF RESTRAINTS. THIS IS A PATTERN STAFF IS USING TO STOP

**Relief Requested:** I go through GRIEVANCE procedure or will ask for more in civil court this was torture. SEE CAMERA FOR PROOF. will take lie detector test. CAMERA placed on people put in RESTRAINTS. USE 2 MATRESSES when RESTRAINED witness cell 132

☐ Check only if this is an EMERGENCY grievance due to a substantial risk of imminent personal injury or other serious or irreparable harm to self.

**Offender's Signature:** Mario S. English **ID#:** B-57430 **Date:** 3-5-2015

(Continue on reverse side if necessary)

**Counselor's Response (if applicable)**

**Date Received:** \_\_\_\_\_ ☐ Send directly to Grievance Officer ☐ Outside jurisdiction of this facility. Send to Administrative Review Board, P.O. Box 19277, Springfield, IL 62794-9277

**Response:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Print Counselor's Name:** \_\_\_\_\_ **Counselor's Signature:** \_\_\_\_\_ **Date of Response:** \_\_\_\_\_

**EMERGENCY REVIEW**

**Date Received:** \_\_\_\_\_ **Is this determined to be of an emergency nature?** ☐ Yes; expedite emergency grievance ☐ No; an emergency is not substantiated. Offender should submit this grievance in the normal manner.

\_\_\_\_\_  
**Chief Administrative Officer's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_



ILLINOIS DEPARTMENT OF CORRECTIONS  
OFFENDER'S GRIEVANCE (Continued)

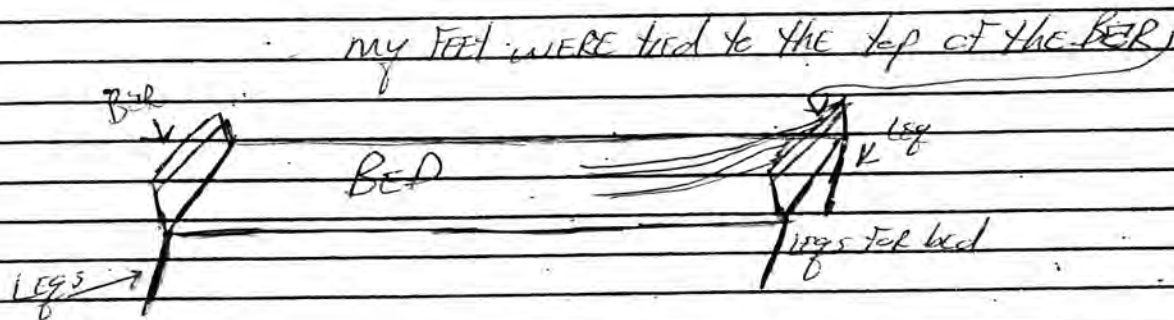
people from going on suicide watch.

I was tied down with out a mattress

prisoners always ~~had~~ ties you down with a mattress.

I don't know if it's law or mental health choice to give mental health prisoners a mattress while restrained.

I was not tied down properly.



From being tied down like this, my feet fell asleep

I was in constant pain for over 3 hours. I was

yelling for medical help for ~~over~~ hours but nobody would

help me until I was let out to stretch at 5:45 p.m.

LT. BERRY tied my feet level to the bed.

the restraints were too tight. you could see the indentations in my skin from the restraints. the restraints were tied around my ankles to the 2nd ~~bar~~ ~~bar~~ whole on the restraints. you couldn't even put a finger in between the restraints & my ankles nurse JEROLD didn't even check my restraints.

I told CHANCE CRUSH before they left. The restraints weren't supposed to be used this way. with Audio, the CHANCE will ~~then~~ repeat my exact words. GARDNER and LT. BERRY came in on 2nd shift and left me in pain until 5:15 p.m.

I was denied medical treatment when I was yelling for it.

witness prisoner Quillman 133.



Bruce Rauner  
Governor



John Baldwin  
Acting Director

### The Illinois Department of Corrections

1301 Concordia Court, P.O. Box 19277 • Springfield, IL 62794-9277 • (217) 558-2200 TDD; (800) 526-0844

Offender Name: English, Mario

Date: 3/8/16

Register # B57430

Facility: Menard CC

This is in response to your grievance received on 10/22/15. This office has determined the issue will be addressed without a formal hearing. A review of the Grievance, Grievance Officer/CAO response to the grievance has been conducted. For a grievance that is direct review by the ARB, a review of the Grievance has been conducted.

Your issue regarding: Grievance dated: 3/5/15 Grievance Number: H228 Griev Loc: statenville

- ☐ Transfer denied by the Facility or Transfer Coordinator
- ☐ Dietary \_\_\_\_\_
- ☐ Personal Property \_\_\_\_\_
- ☐ Mailroom/Publications \_\_\_\_\_
- ☐ Assignment (job, cell) \_\_\_\_\_

- ☐ Commissary \_\_\_\_\_
- ☐ Trust Fund \_\_\_\_\_
- ☐ Conditions (cell conditions, cleaning supplies)
- ☐ Disciplinary Report dated \_\_\_\_\_ Incident # \_\_\_\_\_

☒ Other medical - Denied use of restroom while in restrooms

Based on a review of all available information, this office has determined your grievance to be:

- ☐ Affirmed, Warden \_\_\_\_\_ is advised to provide a written response of corrective action to this office by \_\_\_\_\_

- ☐ Denied, in accordance with DR504F, this is an administrative decision.

☒ Denied, this office finds the issue was appropriately addressed by the facility Administration.

- ☐ Denied in accordance with AD05.03.103A (Monetary Compensation for Inmate Assignments)

- ☐ Denied, as the transfer denial by the facility/TCO on \_\_\_\_\_ was reviewed in accordance with transfer procedures and is an administrative decision.

- ☐ Denied as the facility is following the procedures outlined in DR525.

- ☐ Denied as Cell Assignment/Housing is consistent with the Department's determination of the appropriate Operational capacity of each facility.

- ☐ Denied as procedures were followed in accordance with DR 420 for removal/denial of an offender from/for an assignment.

- ☐ Denied as this office finds no violation of the offender's due process in accordance with DR504.80 and DR504.30. This office is reasonably satisfied the offender committed the offense cited in the report.

Other: Monetary compensation is outside the scope of the ARB.

FOR THE BOARD:

Leslie McCarty  
Leslie McCarty  
Administrative Review Board

CONCURRED:

John Baldwin  
John R. Baldwin  
Acting Director

CC: Warden,

Menard Correctional Center  
English, Mario Register No. B57430

Mission: To serve justice in Illinois and increase public safety by promoting positive change in offender behavior, operating successful reentry programs, and reducing victimization.



220F22

IN THE  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MARCO S. ENGLISH JR

Plaintiff,

v.

Case No. \_\_\_\_\_

MARCELLES P. GARDNER, et al.

Defendant

PROOF/CERTIFICATE OF SERVICE

IN RE OF  
TO: Prisoner Correspondence Ofc

United States District Court

219 South Dearborn Street

Chicago, Illinois 60604

Assistant Attorney General

General Law Bureau

100 West Randolph Street, 13th Floor

Chicago, Illinois 60601

TO: \_\_\_\_\_

TO: \_\_\_\_\_

PLEASE TAKE NOTICE that on 5-8, 2016, I have placed the documents listed below in the institutional mail at Stateville Correctional Center, properly addressed to the parties listed above for mailing through the United States Postal Service: (5) Complaints 22 pages 2nd United States Marshals Service Forms.

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/1-109, I declare, under penalty of perjury, that I am a named party in the above action, that I have read the above documents, and that the information contained therein is true and correct to the best of my knowledge.

DATE: 5-8, 2016

14 Marco S. English Jr

NAME: MARCO S. ENGLISH JR

IDOC#: B-57430

NEWARD Stateville Correctional Center

P.O. BOX 842 / 1000

NEWARD Joliet, IL 60431-6259

on behalf of the plaintiff

his request of us.

(118) 826-5071